

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

MELISSA THRASHER-LYON, on behalf of	)	
herself and a class similarly situated,	)	
	)	
Plaintiff,	)	Case No.: 11-C-4473
vs.	)	
	)	Judge Ruben Castillo
ILLINOIS FARMERS INSURANCE	)	Magistrate Judge Michael T. Mason
COMPANY and CCS COMMERCIAL LLC	)	
d/b/a CREDIT COLLECTION SERVICES	)	
COMMERCIAL,	)	
	)	
Defendants.	)	

**CCS COMMERCIAL LLC'S MOTION TO DISMISS**

Defendant CCS Commercial LLC ("CCS") by its attorneys David M. Schultz, Clifford Yuknis and Matthew T. Glavin of Hinshaw & Culbertson LLP, moves pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure to dismiss Counts I, II and III of plaintiff's Class Action Complaint for failure to state a claim upon which relief can be granted. In support of this Motion, CCS states as follows:

1. On July 1, 2011, plaintiff Melissa Thrasher-Lyon ("Thrasher-Lyon") filed her Class Action Complaint alleging against CCS, in three counts, violations of the federal Telephone Consumer Protection Act ("TCPA"), 47 U.S.C. § 227, *et seq.*, the Illinois Automatic Telephone Dialers Act ("Illinois Telephone Act"), 815 ILCS 305/1, and the Illinois Consumer Fraud and Deceptive Business Practices Act ("Illinois Consumer Fraud Act"), 815 ILCS 505, *et seq.*

2. This Court should dismiss Counts I, II and III since none states a claim upon which relief can be granted.

3. In further support of this Motion, CCS respectfully submits the attached memorandum of law filed contemporaneously with this Motion.

WHEREFORE, Defendant CCS COMMERCIAL LLC prays that this Court dismiss Counts I, II and III of plaintiff's Class Action Complaint against it with prejudice, and award this Defendant its costs in this action and such other and further relief as the Court considers proper.

HINSHAW & CULBERTSON LLP

By: /s/ Clifford E. Yuknis  
One of the Attorneys for Defendant CCS  
COMMERCIAL LLC.

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